DOCUMENT RESUME

ED 366 251 HE 027 093

TITLE	Summary of Educational Benefits under the Post-Vietnam Era Veterans' Educational Assistance Program (VEAP) Chapter 32 of Title 38 U.S. Code.
INSTITUTION	Department of Veterans Affairs, Washington, DC.
REPORT NO	VA-Pam-22-79-1-Rev
PUB DATE	Apr 93
NOTE	23p.; For a related pamphlet, see HE 027 094.
PUB TYPE	Reports - Descriptive (141)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Eligibility; *Federal Aid; Financial Aid Applicants; Financial Support; Higher Education; *Specifications; *Student Financial Aid; Student Loan Programs; *Training Allowances; *Veterans Education; *Vietnam Veterans
IDENTIFIERS	*Veterans Educational Assistance Program

ABSTRACT

This pamphlet provides a summary of the educational benefits available to Vietnam veterans under Chapter 32 of Title 38 U.S. Code, Public Law 101-237, the Veterans Educational Assistance Program. The pamphlet, in question and answer format, includes information to help in understanding how qualified persons can receive payments under the program, and offers suggestions on where to go to for help and to get more detailed information. Specific areas cover such questions as: eligibility, how long educational assistance is available, how much assistance one can receive, types of training allowed and the restrictions that exist, counseling availability, criteria for continuing financial support, and recipient responsibilities regarding enrollment changes and payment discrepancies. (GLR)

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Department of Veterans Affairs

Summary of Educational Benefits

Under the Post-Vietnam Era Veterans' Educational Assistance Program (VEAP) Chapter 32 of Title 38 U.S. Code

ED 366 251
HE027093

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VA Pamphlet
22-79-1, Revised
April 1993

Veterans Benefits
Administration
Washington DC 20420

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This pamphlet is designed to provide information to veterans, persons on active duty, and other interested parties concerning title 38 benefit programs in accordance with section 421 of Public Law 101–237.

INTRODUCTION

The Department of Veterans Affairs (VA) provides educational benefits under the Post-Vietnam Veterans' Educational Assistance Program (VEAP). This program provides education and training opportunities to eligible persons who contributed to VEAP while on active duty.

If you did not contribute or if you received a refund of your contributions, you are not eligible for additional educational benefits.

This pamphlet provides a general description of the education benefits. It includes information to help you understand how you receive payments under the program. It offers suggestions on where to go for help and to get more detailed information.

The information may be of help to you in making a decision to enter training. You should read it carefully to understand fully the range of benefits available.

This pamphlet is a summary of the benefits available under this program. Do not rely on it to determine if you are eligible for education benefits. To receive a formal decision from VA, you must file a claim for benefits.

ARE YOU ELIGIBLE?

VETERANS

You may be eligible for education benefits as a veteran if:

- You entered active duty for the first time after December 31, 1976 and before July 1, 1985.
- You contributed money to VEAP while on active duty. You must have enrolled in and contributed to VEAP before April 1, 1987.
- You served for a continuous period of 181 days or more. You may be eligible if your discharge from a shorter period of active duty was for a service-connected disability.
- Your discharge or release from service was under conditions other than dishonorable.

You must have completed 24 continuous months of active duty if you enlisted for the first time after September 7, 1980, or entered active duty as an officer or enlistee after October 16, 1981. You meet the requirement if you completed a shorter period of active duty to which your service department called or ordered you.

You may be eligible for education benefits if you did not complete 24 continuous months of active duty if:

- You receive VA disability compensation or military disability retirement;
- You served a previous period of at least 24 continuous months of active duty before October 16, 1981; or
- Your discharge or release was for early out, hardship, or service-connected disability.

SERVICEPERSONS

You may be eligible for education benefits while still on active duty if:

- You entered active duty for the first time after December 31, 1976, and before July 1, 1985.
- You contributed money to VEAP, and have at least 3 months of contributions available. For an elementary or high school program you need at least one month's contribution available. You must have enrolled in and contributed to VEAP before April 1, 1987.
- You served for a continuous period of 181 days or more.

OTHER ISSUES

You may not be eligible for benefits under this program if you are eligible under the Montgomery GI Bill-Active Duty (Chapter 30) as a result of the old GI Bill (Chapter 34, Title 38, United States Code). Eligibility to the Montgomery GI Bill may exist if you served a period of active duty beginning before January 1, 1977, or if you

contracted with the Armed Forces and were enlisted in or assigned to a reserve component before January 1, 1977, under a delayed entry program and began active service before January 2, 1978.

The following types of active duty do not establish eligibility:

- Time assigned by the military to a civilian institution for the same course provided to civilians;
- Time served as a cadet or midshipman at a service academy; or
- Time spent on active duty for training in the National Guard or Reserve.

HOW MANY MONTHS OF BENEFITS CAN YOU GET?

You may be entitled to receive up to 36 months of education benefits.

Usually, the number of monthly payments for full-time training will be the same as the number of months you contributed to VEAP. You can earn a maximum of 36 months under this program.

You may receive a maximum of 48 months of benefits under more than one VA education program. For example, if you used 30 months of your own benefits as a dependent and are eligible for VEAP, you may have a maximum of 18 more months.

HOW IS ENTITLEMENT CHARGED?

You are charged one full day of entitlement for each day of full time benefits paid.

For correspondence and flight training, you use one month of entitlement each time VA pays the equivalent of one month of full-time benefits. If your full-time rate was $300, and you received $900 for a correspondence course, the entitlement charge was 3 months. If your full-time rate was $250, and you received $3,000 for flight training, the entitlement charge was 12 months.

For apprenticeship and job training programs, the entitlement charge changes every 6 months. During the first 6 months, the charge is 75% of a month. For the second 6 months, the charge is 55% of a month. For the rest of the program, the charge is 35% of a month.

HOW MUCH EDUCATIONAL ASSISTANCE WILL YOU GET?

Your total dollar amount of benefits is:

- Your total contributions, plus
- Matching funds equal to two times your contributions, and
- Any additional contributions or kickers by DOD (Department of Defense).

How much money you receive each month depends on the type of training and your training time.

INSTITUTIONAL TRAINING: Your monthly benefit payment will vary depending upon the amount and number of your contributions. Divide the total contributions by the number of months you contributed. If you contributed for more than 36 months, divide by 36. This is your full-time institutional rate. If you contributed $50 a month for 36 months, compute your total entitlement as follows:

$1,800— Your contributions

+3,600— Matching funds (two times your contribution)

\+ 0— DOD Contributions ("kicker")
$5,400— TOTAL ENTITLEMENT.

Your full-time monthly rate is:

$$\frac{\text{\$5,400—Total Entitlement}}{\text{36 – Months contributed}} = \$150$$

FULL TIME MONTHLY RATE

You will receive 36 payments of $150 per month for full–time schooling. This will total $5,400 in educational benefits. If you attend less than full time, you receive a lesser amount for a greater number of months. If you attend 3/4 time, you will receive $112.50 per month up to 48 months. If you go 1/2 time, you will get $75.00 per month up to 72 months. Your monthly benefit would be $37.50 for 1/4–time schooling up to 144 months.

CORRESPONDENCE TRAINING: You can be reimbursed for the entire established charges you pay for a correspondence course. However, you cannot receive more than your total entitlement (your contribution plus matching funds plus any additional DOD contribution).

FLIGHT TRAINING: For flight training completed before October 1, 1992, you can be reimbursed for 60% of the approved charges for the course, exclusive of solo

hours. Effective October 1, 1992, you may receive 60% of the approved charges for solo hours. You cannot receive more than your total entitlement (your contribution plus matching funds plus any additional DOD contribution).

APPRENTICESHIP OR JOB TRAINING: To determine your payments for this type of training, find your full-time institutional rate. For the first 6 months of training, the monthly benefit amount is 75% of the full-time institutional rate. For the second 6 months of training, the monthly benefit amount is 55% of the full-time institutional rate. For the rest of your training, you receive 35% of the institutional rate. Your monthly payment is reduced if you work less than 120 hours a month.

EXAMPLE (Apprenticeship or Job Training): If your full–time institutional rate is $225.00 a month, you would receive $168.75 a month for the first 6 months, $123.75 a month for the second 6 months, and $78.75 a month thereafter. If you worked less than 120 hours a month, your benefit would be reduced.

COOPERATIVE TRAINING: For cooperative training, you may recieve payment at 80% of the rate to which you are entitled for institutional training.

HOW LONG ARE YOU ELIGIBLE?

Benefits end 10 years from the date of your last discharge or release from active duty.

VA can extend your 10-year period by the amount of time you were prevented from training during the period due to:

- A disability; or
- Being held by a foreign government or power.

VA can extend your 10–year period if you re-enter active duty for 90 days or more after becoming eligible. The extension ends 10 years from the date of discharge or release from the later period. Periods of active duty of less than 90 days can qualify for extensions only if your discharge or release was for one of the following reasons:

- A service–connected disability;
- A medical condition existing before active duty;
- Hardship; or
- A reduction in force (RIF).

If your discharge is upgraded by the military, the 10–year period begins on the date of the upgrade.

WHAT TRAINING MAY YOU TAKE?

You may receive benefits for a wide variety of training.

You may seek an undergraduate or graduate degree at a college or university. You may take a cooperative training program. You may also take an accredited independent study program leading to a college degree.

You may take courses leading to a certificate or diploma from business, technical, or vocational schools.

You may work and train in an apprenticeship or job training program offered by a company or union.

You may take a correspondence course.

You may take flight training from April 1, 1991, to September 30, 1994. You must have a private pilot license and meet the physical requirements for a commercial license before beginning training.

If you would like to study abroad, education benefits are payable only for programs leading to a college degree.

A State agency or VA must approve each program offered by a school or company. If you want to know if you may receive benefits for a program, contact the nearest VA regional office.

ARE YOU ELIGIBLE FOR REMEDIAL, DEFICIENCY, AND REFRESHER TRAINING?

You may be eligible for benefits for remedial, deficiency, and refresher courses. Remedial and deficiency courses are special ones intended to assist a student in overcoming a deficiency in a particular area of study. Remedial and deficiency courses must be necessary for pursuit of a program of education. Refresher training is for technological advances that occurred in a field of employment. The advance must have occurred while you were on active duty or after your release. There is an entitlement charge for these courses.

ARE YOU ELIGIBLE FOR TUTORIAL ASSISTANCE?

You may receive a special allowance for individual tutoring if you enter school at 1/2 time or more. To qualify, you must have a deficiency in a subject, making the tutoring necessary. The school must certify the tutor's qualifications and the hours of tutoring. If eligible, you may receive a maximum monthly payment of $100. The maximum total benefit is $1,200. There is no charge for the first $600 of tutorial assistance. To compute the charge for payments beyond $600, divide the amount paid by the full-time rate for schooling. To apply, complete VA Form 22–1990t, Application and Enrollment Certification for Individualized Tutorial Assistance. Give it to the certifying official in the office handling VA paperwork at your school to complete.

ARE YOU ELIGIBLE FOR WORK–STUDY?

You may be eligible for an additional allowance under the work-study program. The work-study program allows you to perform work for VA in return for an hourly wage. You may perform outreach services under the supervision of a VA employee, prepare and process VA paperwork, work at a VA medical facility, or other approved activities. You must train at the 3/4 or full-time rate. The maximum number of hours you may work is 25 times the number of weeks in your enrollment period. Payments will be at the Federal minimum wage or your State minimum wage, whichever is greater. To apply, complete VA Form 20–8691, Application for Work-Study Allowance. Send it to the nearest VA regional office.

If you have an overpayment, you may be able to participate in work-study in order to reduce or eliminate your overpayment.

ARE THERE RESTRICTIONS ON TRAINING?

There are some restrictions on training. Benefits are not payable for the following courses:

- Bartending and personality development courses.
- Any course given by radio.
- Any courses solely taken by open–circuit television.
- Self–improvement courses such as reading, speaking, woodworking, basic seamanship, and English as a second language.
- Any course which is avocational or recreational in character.
- Farm–cooperative courses.
- Audited courses.
- Courses not leading to an educational, professional, or vocational objective.
- Courses you have taken before and successfully completed.
- Courses taken by a Federal Government employee under the Government Employees' Training Act.
- Courses paid in whole or in part by the Armed Forces while on active duty.
- Courses taken while in receipt of benefits for the same program from the Office of Workers' Compensation Programs.

VA must reduce benefits if you are in a Federal, State or local prison after being convicted of a felony.

You may not receive benefits for a program at a proprietary school if you are an owner or official of the school.

If you seek a college degree, the school must admit you to a degree program by the start of your third term.

CAN YOU BE ELIGIBLE FOR MORE THAN ONE BENEFIT?

Yes, you can be eligible under more than one education benefit program. If you are, you must elect which benefit to receive for each program you take. The benefit programs are:

- Chapters 30, 31, and 35 of Title 38, U.S. Code;
- Chapters 106 and 107 of Title 10, U.S. Code;
- Section 903 of the Department of Defense Authorization Act of 1981;
- The Hostage Relief Act of 1980; and
- The Omnibus Diplomatic Security and Antiterrorism Act of 1986.

IMPORTANT: If you are eligible for more than one benefit, we strongly suggest that you discuss your education plans with a VA counselor. The counselor can help you explore the options open to you and plan your program to use your benefits fully.

IS COUNSELING AVAILABLE?

Counseling is available if you are:

- Eligible for VA educational assistance;
- On active duty and within 180 days of discharge; or
- A veteran with a discharge that is not dishonorable and you are within one year from date of discharge.

If you meet one of these qualifications and you request counseling, VA will provide services to help you understand your educational and vocational strengths and weaknesses and to plan:

- An educational or training goal and the means by which you can reach that goal; or
- An employment goal for which you qualify on the basis of your present training and experience. VA can also help you to plan an effective job search.

Contact the nearest VA regional office for more information or to schedule a counseling appointment.

ARE YOU ELIGIBLE FOR VOCATIONAL REHABILITATION?

You may be eligible for vocational rehabilitation under chapter 31 of title 38, U.S. Code if:

- You have a service–connected disability or disabilities rated by VA at 20% or more, if VA finds that you have an employment handicap; or
- You have a 10% disability, if VA finds on or after October 1, 1993, that you have a serious employment handicap.

Vocational rehabilitation helps disabled veterans become independent in daily living and to the extent possible, to select, prepare for, and secure employment that is compatible with their interests, talents, skills, physical capabilities, and goals.

If you are eligible for both chapter 32 and vocational rehabilitation, you should discuss your benefits with a VA counselor. Remember, you must elect one benefit, since you cannot receive benefits under two programs at the same time.

To apply for vocational rehabilitation, complete VA Form 28–1900, Disabled Veterans Application for Vocational Rehabilitation. Send it to the nearest VA regional office.

CAN YOU CHANGE PROGRAMS?

If you change the educational, professional, or vocational objective for which you entered training, VA considers this a change of program. However, VA does not consider any of the following to be a change of program:

- A change in the type of courses needed to attain a vocational objective;

- A change in your educational, professional, or vocational objective following the completion of the immediately preceding program of education; or
- A return to your previous educational professional, or vocational objective following a change in program.

The law permits one change of program without prior VA approval if your attendance, conduct, and progress in the last program were satisfactory. VA may approve additional changes if the proposed programs are suitable to your abilities, aptitudes, and interests.

MUST YOU MAINTAIN SATISFACTORY ATTENDANCE, CONDUCT, AND PROGRESS?

Once you start receiving benefits, you must maintain satisfactory attendance, conduct, and progress. If you do not meet the standards set by your school, the certifying official must notify VA. VA will stop your benefits if the school reports unsatisfactory attendance, conduct, or progress.

VA may resume benefits if:

- You re-enter the same program at the same school; and
- Your school approves your re-entry and certifies it to VA.

If you do not re-enter the same program at the same school, VA may resume benefits if:

- The cause of your unsatisfactory attendance, conduct, or progress has been removed; and
- The program you intend to pursue is suitable to your abilities, aptitudes, and interests.

WHAT MUST YOU DO TO QUALIFY?

Once you find a school with a program you want or a company or union offering an apprenticeship or job training program in your field, there are two important steps.

- FIRST, make sure the program you choose is approved for VA training. If you are not clear on this point, VA will inform you or the school or company about the requirements.

- SECOND, complete VA Form 22–1990, Application for Education Benefits. Send it to the VA regional office with jurisdiction over the State where you will train. If you are not on active duty, send copy 4 of your DD Form 214, Certificate of Release or Discharge From Active Duty.

VA will review your application and let you know if anything else is necessary.

If you have started training, take your application to your school, or to your employer if you are in a job training program. Ask the certifying official to complete VA Form 22–1999, Enrollment Certification, and send both forms to VA.

WHAT SHOULD YOU DO IF YOU DISAGREE WITH A VA DECISION?

You may appeal VA decisions on education benefits. You must file an appeal within one year of the date you receive notice of a decision. Each notice of decision issued by VA contains your legal rights and appeal procedures. You may request a personal hearing on your claim.

If you need assistance in filing an appeal, contact the nearest VA regional office or a veterans service organization.

HOW DO YOU RECEIVE MONTHLY PAYMENTS?

After choosing a school and submitting your application to VA, ask the certifying official at your school to complete an enrollment certification. The certifying official will send the enrollment certification to the appropriate VA regional office. VA will process the form and determine your eligibility to benefits.

If you are taking courses leading to a college degree at a college or university, you will receive payment for a month only after completing that month's training. You will normally receive a check on the first of the month for the previous month's training.

If you are taking courses leading to a certificate or diploma from business, technical, or vocational schools, you will receive a verification form each month to complete and return to the appropriate VA regional office. Upon processing, VA will release a check.

If you are in an apprenticeship or job training program, you will receive a form to report the hours worked each

month. Sign the form and give it to the certifying official for the company or union. The certifying official must complete the form and send it to the appropriate VA regional office. Upon processing, VA will release a check.

If you are taking a correspondence course, you will receive a form to certify the lessons you completed each quarter, i.e., March, June, September, and December. Enter the number of lessons completed during the quarter. Send the form to the school to enter the number of lessons serviced during the quarter. The school will send the form to the appropriate VA regional office. Upon processing, VA will release a check. Payments are based upon the number of lessons serviced by the school.

VA sends flight schools a supply of blank monthly certification of flight training forms. The school completes the form by entering the number of hours, the hourly rate, and the total charges for flight training received during the month. Review and sign the completed form and send it to the appropriate VA regional office. Upon processing, VA will release a check.

The law prohibits schools from cashing VA checks under a power of attorney agreement.

WHAT SHOULD YOU DO IF YOU DON'T RECEIVE A CHECK OR VERIFICATION FORM?

If you are taking courses leading to a degree at a college or university, you should receive your check by the 5th of the month following training. If you do not, immediately contact the nearest VA regional office. Explain that you are receiving education benefits under chapter 32 and have not received your check. The person answering the telephone will take the information and determine the status of the check.

If you are taking courses leading to a certificate or diploma from a business, technical, or vocational school, or a high school, you should receive a verification form by the 5th of the month following training. If you do not, immediately contact the nearest VA office. Explain that you are receiving education benefits under chapter 32 and have not received your monthly verification form. The person answering the telephone will record the necessary information and forward it to the appropriate VA office for processing.

Whenever you contact VA, have your VA file number readily available.

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MAY YOU GO PART–TIME?

If you are unable to attend full-time, consider going part-time. Benefit rates for part-time training are less than the full-time rates. Likewise, the entitlement charge for part-time training is less than the charge for full-time training. For example, if you receive benefits for 12 months at full time, the charge is 12 months. If you receive benefits for 12 months at 1/2 time, the charge is 6 months.

CAN YOU GET AN ADVANCE PAYMENT?

You may receive an advance payment for the initial month or partial month and the following month, if:

- You train at 1/2 time or more;
- The school agrees to handle advance payments;
- You request an advance payment in writing; and
- VA receives your enrollment certification at least 30 days before classes start.

VA will mail an advance payment check, made out to you, to the school for delivery to you at registration, but not more than 30 days before classes start. Before you request an advance payment, ask the certifying official if your school has agreed to process advance payments. Your request for an advance payment must be on VA Form 22–1999, Enrollment Certification, or a sheet of paper attached to the enrollment certification.

If you receive an advance payment at registration, be sure that the appropriate school official certifies to VA that you received the check. If you reduce your enrollment or withdraw from all courses during the period covered by an advance payment, you could have an overpayment that VA is required to collect from you. If you think the amount of a VA check is incorrect, contact VA *before* cashing the check.

WHAT ARE YOUR RESPONSIBILITIES?

CHANGES IN YOUR ENROLLMENT

If you change your enrollment, immediately tell the certifying official at your school. Request the certifying official to notify the appropriate VA regional office of the change. Also notify the appropriate VA regional office of the change yourself. If VA does not receive prompt notice of a change, you could be liable for an overpayment of benefits.

NOTE: Employees of schools who process VA forms are *not* VA employees.

CHANGE OF ADDRESS

Promptly notify the appropriate VA regional office of any change in your address. Send VA your complete new address, including the ZIP code.

WHAT HAPPENS IF YOU CHANGE YOUR ENROLLMENT?

If you withdraw from one or more of your courses after the end of the school's drop period, you may have to repay *all* benefits for the course(s). If you are enrolled in a course leading to a college degree at a college or university, VA will reduce your benefits at the end of the month in which you withdrew. If you are enrolled in a course leading to a certificate or diploma from a business, technical, or vocational school, VA will reduce your benefits on the date of withdrawal. For any enrollment, if you withdraw from all courses, VA will stop your benefits on the date of withdrawal.

You may not have to repay the benefits if you show that the change was due to mitigating circumstances. VA defines "mitigating circumstances" as unavoidable or unexpected events that directly interfere with your pursuit of a course and are beyond your control.

Examples of reasons VA may accept are:

- Extended illness;
- Severe illness or death in your immediate family;
- Unscheduled changes in your employment; and
- Lack of child care.

Examples of reasons VA may not accept are:

- Withdrawal to avoid a failing grade;
- Dislike of the instructor; and
- Too many courses attempted.

NOTE: VA may ask you to furnish evidence to support your reason for a change. If a serious injury or illness caused the change, obtain a statement from your doctor. If a change in employment caused the change, obtain a statement from your employer.

The first time you withdraw from courses up to six credit hours, VA will "excuse" the withdrawal and pay benefits for the period attended.

REMEMBER: This only applies to your first withdrawal.

If you receive a grade that does not count toward graduation, you may have to repay *all* benefits for the course. You should check the grading policy at your school with the registrar or the office handling VA paperwork. The school may have "non-punitive grades." VA defines "non-punitive grades" as those not used to compute graduation requirements. Common examples are:

- An "I" grade for an incomplete which is not made up during the time period required by the school or within one year from receipt;
- A "W" grade for withdrawing;
- An "AU" grade for auditing; or
- Any grade the school does not use to compute the GPA (grade point average) or its equivalent.

If you receive a non-punitive grade, the school will notify VA. Upon receipt of the notice, VA may reduce or stop benefits. You may not have to repay the benefits if you show that the grade was due to mitigating circumstances.

HOW CAN YOU PREVENT OVERPAYMENTS?

An overpayment is an incorrect benefit payment that is more than the amount to which you are entitled. Promptly notifying VA of changes affecting your benefits can prevent overpayments.

In addition, use reasonable judgment when you accept and cash a check. Carefully read all letters from VA on monthly rates and effective dates of your benefits. If you think the amount of a VA check is wrong, contact VA *before* cashing the check. Return any checks for the wrong amount to VA.

If you cash a check for the wrong amount, *you will be liable for repayment of the resulting overpayment.*

WHAT HAPPENS IF YOU HAVE AN OVERPAYMENT?

VA is required to take prompt and aggressive action to recover overpayments. You have the right to request a waiver of the overpayment or verification that the amount is correct. If an overpayment is not repaid or waived, VA may add interest and collection fees to your debt and take one of the following actions to collect the debt:

- Withhold future benefits to apply to your debt;
- Refer your debt to a private collection agency;
- Recover the debt from your Federal income tax refund;
- Recover the debt from your salary if you are a Federal employee;
- File a lawsuit in Federal court to collect the debt; or
- Withhold approval of a VA home loan guarantee.

WHAT IF YOU DO NOT WANT BENEFITS?

If you do not wish to use your VEAP benefits, you may apply to your nearest VA regional office for a refund of your contributions.

WHERE TO GO FOR HELP

For forms and information, any one of the following offices or representatives can assist you:

- Any VA regional office;
- Any VA office or Vet Center;
- Local representatives of veterans organizations;
- Education Services Officers at military posts or installations for persons on active duty; or
- American embassies or consulates, if you reside in a foreign country (except the Republic of the Philippines).

Consult a telephone directory under United States Government, Department of Veterans Affairs or Veterans Administration, for the telephone number of the office nearest you. Toll-free telephone service is available in all 50 states, Puerto Rico, and the U. S. Virgin Islands. Call 1–800–827–1000.

To assure that accurate information and courteous responses are given to the public, VA supervisory personnel occasionally monitor telephone calls. No record is kept of the caller's name, address, file number, or telephone number.

To obtain information on other forms of assistance, contact the financial aid office at your school.

☆ U.S. GOVERNMENT PRINTING OFFICE: 1993 343-144/86152

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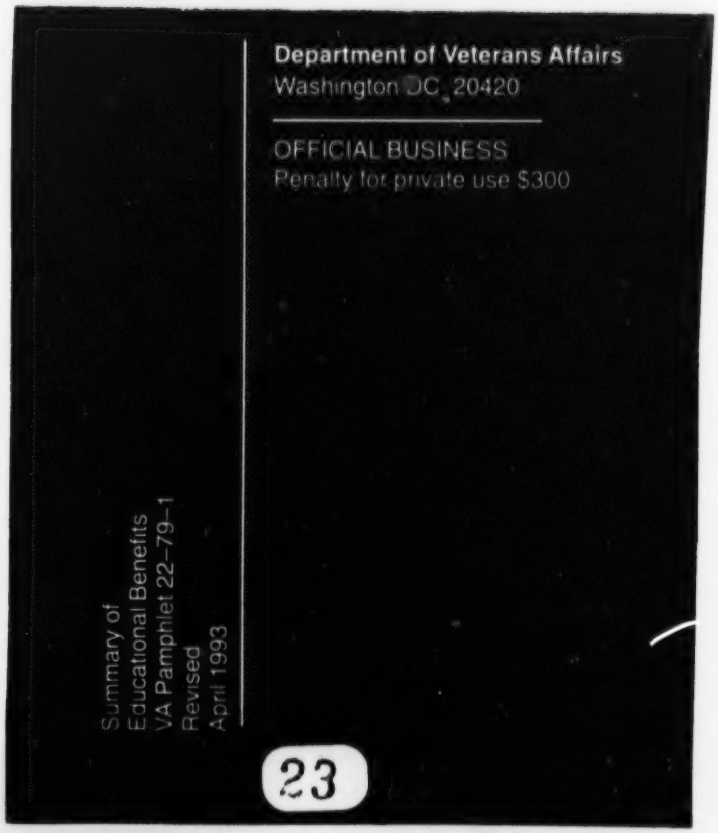
RESCISSION: VA Pamphlet 22–79–1, Revised dated April 1993


Summary of
Educational Benefits
VA Pamphlet 22-79-1
Revised
April 1993
Department of Veterans Affairs
Washington DC 20420
OFFICIAL BUSINESS
Penalty for private use $300
23